

P24717.A07

claimed invention to one of two groups of distinct inventions.

The Examiner asserted that the application contains patentably distinct inventions as follows:

Group I, directed to claims 1-104 and 136-143 drawn to an apparatus, classified in class 244; and

Group II, directed to claims 105-135 and drawn to a method of manufacturing, classified in class 29.

Applicant respectfully traverses this basis for election. Applicant submits that all of the claims relate to a common subject matter, especially because the claims of Group II depend from the claims of Group I. Applicant submits that the recitations of each of the independent claims, as well as the various dependent claims are so closely related for examination purposes as to make the restriction requirement entirely inappropriate under any proper basis. For this reason alone, it is submitted that restriction is inappropriate and that all the claims in the present application should be examined together.

Furthermore, it is believed that the features recited in the claims of Group II are not materially different, so as to constitute distinct inventions, for examination purposes. As the Examiner must acknowledge, because the claims of Group II depend from one or more of the claims of Group I, they all relate to common subject matter. Therefore, the searches must be at least somewhat overlapping for the groups. Thus, no undue burden is placed on the Examiner when examining all of the claims together. Consequently, it is believed that all the claims, i.e., claims 1-143 relate to a single inventive concept which share many

P24717.A07

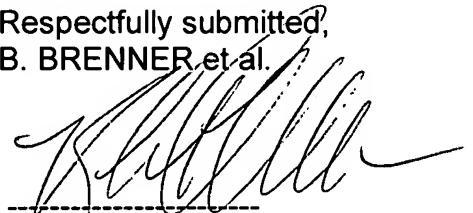
generic features.

For all these reasons, and consistent with the office policy as set forth in M.P.E.P. §§ 803, Applicant respectfully requests that the Examiner reconsider the position taken in the above-mentioned Official Action and withdraw the election requirement in the present application. Accordingly, the Examiner's restriction requirement is believed to be entirely improper and inconsistent with current USPTO guidelines, and has been traversed for the reasons set forth above.

Nevertheless, in order to be fully responsive, Applicant has elected with traverse the invention defined by the Examiner as Group I directed to claims 1-104 and 136-143 and further request that the claims of Group II be rejoined if and when the claims of Group I are found to be allowable.

Authorization is hereby given to charge any fees necessary for consideration of this paper to deposit account 19-0089.

Respectfully submitted,  
B. BRENNER et al.



Neil F. Greenblum  
Reg. No. 28,394

Robert W. Mueller  
Reg. No. 35,043

March 16, 2006  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191